

**UNITED STATES BANKRUPTCY COURT
District of New Jersey**

IN RE: **Veronica A Wesley
Allen David Wesley**

Case No.:

Judge:

Debtor(s)

Chapter:

13

CHAPTER 13 PLAN AND MOTIONS

☒ Original

☐ Motions Included

☐ Modified/Notice Required

☐ Modified/No Notice Required

☐ Discharge Sought

☐ No Discharge Sought

Date: _____

THE DEBTOR HAS FILED FOR RELIEF UNDER CHAPTER 13
OF THE BANKRUPTCY CODE.

YOUR RIGHTS WILL BE AFFECTED.

You should have received from the court a separate Notice of the Hearing on Confirmation of Plan, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the Notice. **This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice.**

**YOU SHOULD FILE A PROOF OF CLAIM BY THE DEADLINE STATED
IN THE NOTICE TO RECEIVE DISTRIBUTIONS UNDER ANY PLAN
THAT MAY BE CONFIRMED, EVEN IF THE PLAN REFERS TO YOUR CLAIM**

Part 1: Payment and Length of Plan

a. The Debtor shall pay 510.23 Monthly to the Chapter 13 Trustee, starting on ____ for approximately 60 months.

b. The Debtor shall make plan payments to the Trustee from the following sources:

☒ Future Earnings

☐ Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

☐ Sale of real property

Description:

Proposed date for completion: _____

☐ Refinance of real property

Description:

Proposed date for completion: _____

☐ Loan modification with respect to mortgage encumbering property

Description:

Proposed date for completion: _____

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

- e. ☐ Other information that may be important relating to the payment and length of plan:
-

Part 2: Adequate Protection

a. Adequate protection payments will be made in the amount of \$ ____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to ____ (creditor).

b. Adequate protection payments will be made in the amount of \$ ____ to be paid directly by the debtor(s) outside of the Plan, pre-confirmation to ____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
Candyce I. Smith-Sklar ~90828	Attorney Fees	1,700.00
City of Trenton Tax Office	Taxes and certain other debts	652.50
City of Trenton Tax Office	Taxes and certain other debts	4,071.43

Part 4: Secured Claims

a. Curing Default and Maintaining Payments

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the Debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
Chase Manhattan Mortgage	183 Rosemount Avenue Trenton NJ 08618 12months behind 600/month own 30,000	6,284.00	0.00	6,284.00	584.00
Hsbc/rs	203 Buckingham Ave Trenton NJ Oct-Dec behind 1500/month	6,999.00	0.00	6,999.00	1,500.00

b. Modification

1.) The Debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.							
<u>Creditor</u>	<u>Collateral</u>	<u>Scheduled Debt</u>	<u>Total Collateral Value</u>	<u>Superior Liens</u>	<u>Value of Creditor Interest in Collateral</u>	<u>Annual Interest Rate</u>	<u>Total Amount to Be Paid</u>
HSBC/rs	203 Buckingham Ave Trenton NJ Oct-Dec behind 1500/month	29,484.00	175,000.00	Hsbc/rs - 221,096.00 Judgment Lien Brad D. Layton/ JPMorgan Chase - 19,595.96	No value	N/A	0.00
Wfs Financial/Wells Fargo Dealer Svcs	2005 Audi 95000 MILES 369/month wells fargo bank	16,616.00	8,000.00	None	8,000.00	4.00	8,763.66

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

c. Surrender

Upon confirmation, the stay is terminated as to surrendered collateral. The Debtor surrenders the following collateral:

<u>Creditor</u>	<u>Collateral to be Surrendered</u>	<u>Value of Surrendered Collateral</u>	<u>Remaining Unsecured Debt</u>
Rent Connections	Time share	5,000.00	2,014.97

d. Secured Claims Unaffected by the Plan

The following secured claims are unaffected by the Plan:

<u>Creditor</u>
Lakeland Bank

e. Secured Claims to be paid in full through the Plan

<u>Creditor</u>	<u>Collateral</u>	<u>Total Amount to be Paid through the Plan</u>
JPMorgan Chase Bank	183 Rosemount Ave For Notice Purposes Only	0.00

Part 5: Unsecured Claims

a. Not separately classified Allowed non-priority unsecured claims shall be paid:

___ Not less than \$___ to be distributed *pro rata*

___ Not less than ___ percent

☒ Pro rata distribution from any remaining funds

b. Separately Classified Unsecured Claims shall be treated as follows:

<u>Creditor</u>	<u>Basis for Separate Classification</u>	<u>Treatment</u>	<u>Amount to be Paid</u>
-NONE-			

Part 6: Executory Contracts and Unexpired Leases

All executory contracts and unexpired leases are rejected, **except** the following, which are **assumed**:

Creditor	Nature of Contract or Lease	Treatment by Debtor
-NONE-		

Part 7: Motions

NOTE: All plans containing motions must be served on all potentially affected creditors, together with a Chapter 13 Plan Transmittal Letter, within the time and in the manner set forth in D.N.J. LBR 3015-1. A Proof of Service must be filed with the Clerk of Court when the Plan and Transmittal Letter are served.

Where a motion to avoid liens or partially avoid liens has been filed in the plan, a proof of claim filed that asserts a secured claim that is greater than the amount to be paid in the plan serves as opposition to the motion, and serves as an objection to confirmation. The proof of claim shall be served in accordance with D.N.J. LBR 3015-6(a). The creditor shall file a proof of service prior to the scheduled confirmation hearing. In order to prosecute the objection, the creditor must appear at the confirmation hearing, which shall be the hearing on the motion. Failure to appear to prosecute the objection may result in the motion being granted and the plan being confirmed pursuant to the terms as set forth in the plan.

a. **Motion to Avoid Liens under 11 U.S.C. Section 522(f).** The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided
Brad D. Layton/ JPMorgan Chase	203 Buckingham Ave Trenton NJ Oct-Dec behind 1500/month	Judgment Lien	19,595.96	175,000.00	0.00	250,580.00	19,595.96

b. **Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured.** The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount of Lien to be Reclassified
HSBC/rs	203 Buckingham Ave Trenton NJ Oct-Dec behind 1500/month	29,484.00
JPMorgan Chase Bank	183 Rosemount Ave For Notice Purposes Only	0.00

c. **Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured.** The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured
Wfs Financial/Wells Fargo Dealer Srvs	2005 Audi 95000 MILES 369/month wells fargo bank	8,000.00	8,616.00

Part 8: Other Plan Provisions

a. **Vesting of Property of the Estate** Property of the Estate shall revest in the Debtor:

- ☒ Upon Confirmation
☐ Upon Discharge

b. **Payment Notices** Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. **Order of Distribution** The Trustee shall pay allowed claims in the following order:

- 1) Trustee Commissions
- 2) Other Administrative Claims
- 3) Secured Claims
- 4) Lease Arrearages
- 5) Priority Claims
- 6) General Unsecured Claims

d. **Post-petition claims** The Trustee is ☒, is not ☐ authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9 : Modification

If this plan modifies a plan previously filed in this case, complete the information below.

Date of Plan being modified:

Explain below why the Plan is being modified.	Explain below how the Plan is being modified
Are Schedules I and J being filed simultaneously with this modified Plan? <input type="checkbox"/> Yes <input type="checkbox"/> No	

Part 10: Sign Here

The debtor(s) and the attorney for the debtor (if any) must sign this Plan.

Date July 8, 2013 /s/ Candyce I. Smith-Sklar
Candyce I. Smith-Sklar
Attorney for the Debtor

I certify under penalty of perjury that the foregoing is true and correct.

Date July 8, 2013 Signature /s/ Veronica A Wesley
Veronica A Wesley
Debtor

Date July 8, 2013 Signature /s/ Allen David Wesley
Allen David Wesley
Joint Debtor

Certificate of Notice Page 7 of 9
 United States Bankruptcy Court
 District of New Jersey

In re:
 Veronica A Wesley
 Allen David Wesley
 Debtors

Case No. 13-24929-RTL
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: gnau
 Form ID: pdf901

Page 1 of 3
 Total Noticed: 40

Date Rcvd: Jul 09, 2013

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 11, 2013.

db/jdb
 514061006 +Veronica A Wesley, Allen David Wesley, 203 Buckingham Avenue, Trenton, NJ 08618-3315
 +A Division of Federated Credit Services,, 2775 Cruse Road STE 701,
 Lawrenceville, GA 30044-7142
 514061007 +American Express, American Express Special Research, Po Box 981540, El Paso, TX 79998-1540
 514061009 +Apex Asset Management LLC, 2501 Oregon Pike Ste 102, Lancaster, PA 17601-4890
 514061010 +Aspire, Pob 105555, Atlanta, GA 30348-5555
 514061012 +AtlanticCare Regional Medical Center, PO Box 786361, Philadelphia, PA 19178-6361
 514061011 +Atlantic Federal Cred, P.O. Box 618, Kenilworth, NJ 07033-0618
 514061013 Barclays Bank Delaware, Attention: Bankruptcy, Po Box 1337, Philadelphia, PA 19101
 514061014 +Beneficial, PO Box 4153, Carol Stream, IL 60197-4153
 514061015 +Brad D. Layton/ JPMorgan Chase, 900 U.S. Highway 9 North, Suite 600,
 Woodbridge, NJ 07095-1003
 514061022 +CMHS, Box H-1, 100 Straube Center Boulevard, Pennington, NJ 08534-1468
 514061016 +Cap One, Po Box 5253, Carol Stream, IL 60197-5253
 514061017 +Cap One Na, Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
 514061018 +Capital 1 Bank, Attn: Bankruptcy Dept., Po Box 30285, Salt Lake City, UT 84130-0285
 514061019 +Chase, P.O. Box 15298, Wilmington, DE 19850-5298
 514061020 +Chase Manhattan Mortgage, Attn: Bankruptcy Dept, 3415 Vision Dr. Mail Code: Oh4-7133,
 Columbus, OH 43219-6009
 514061021 +City of Trenton Tax Office, PO Box 210, Trenton, NJ 08602-0210
 514061023 +Comenity Capital/venue, Po Box 182273, Columbus, OH 43218-2273
 514061025 ++DELL FINANCIAL SERVICES, P O BOX 81577, AUSTIN TX 78708-1577
 (address filed with court: Dell Financial Services, 1 Dell Way, Round Rock, TX 78682)
 514061026 +Eastern Account System, Po Box 837, Newtown, CT 06470-0837
 514061027 +F.C.B., 2775 Cruse Road Ste 701, Lawrenceville, GA 30044-7142
 514061028 +Genpsych, PC, 981 US Highway 22, 2nd Floor, Bridgewater, NJ 08807-2946
 514061029 +Hfc - Usa, Po Box 9068, Brandon, FL 33509-9068
 514061030 +Hsbc Bank, Po Box 5253, Carol Stream, IL 60197-5253
 514061031 +Hsbc services, Po Box 71104, Charlotte, NC 28272-1104
 514061032 +Hsbc/rs, Attn: Bankruptcy Department, Po Box 5263, Carol Stream, IL 60197-5263
 514061034 +JPMorgan Chase Bank, c/o Powers Kirn, LLC, 728 Marne Highway, Suite 200,
 Moorestown, NJ 08057-3128
 514061035 JPMorgan Chase Legal Dept., 900 U.S. Highway 9 North, Suite 600, Woodbridge, NJ 07095-1003
 514061036 +Juniper/Card Services, PO Box 13337, Philadelphia, PA 19101-3337
 514061037 ++LADCO LEASING, 7300 CHAPMAN HIGHWAY, KNOXVILLE TN 37920-6612
 (address filed with court: Ladco Leasing, 555 St Charles Dr, Suite 200,
 Thousand Oaks, CA 91360)
 514061038 +Lakeland Bank, 250 Oak Ridge Rd, Oak Ridge, NJ 07438-8998
 514061039 #+National Financial Group, Inc, 6110 Executive Blvd Suite 100, Rockville, MD 20852-3928
 514061040 +Njm Bank Fsb, 301 Sullivan Way, West Trenton, NJ 08628-3406
 514061041 +PSE&G, PO Box 14444, New Brunswick, NJ 08906-4444
 514061042 +Rent Connections, A Division of Federated Credit Services, 2775 Cruse Road Ste 701,
 Lawrenceville, GA 30044-7142
 514061043 +Wellsfargo, 800 Walnut St, Des Moines, IA 50309-3605
 514061044 +Wfs Financial/Wells Fargo Dealer Srvs, Po Box 3569, Rancho Cucamonga, CA 91729-3569

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 smg +E-mail/Text: leah.bynon@usdoj.gov Jul 09 2013 21:33:22 U.S. Attorney, 970 Broad St.,
 Room 502, Rodino Federal Bldg., Newark, NJ 07102-2523

smg +E-mail/Text: ustpreion03.ne.ecf@usdoj.gov Jul 09 2013 21:33:21 United States Trustee,
 Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,
 Newark, NJ 07102-5235

514061024 +E-mail/Text: bankruptcy_notifications@ccsusa.com Jul 09 2013 21:32:40 Credit Collections Srv.,
 Po Box 9134, Needham, MA 02494-9134

TOTAL: 3

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

514061008* +American Express, American Express Special Research, Po Box 981540, El Paso, TX 79998-1540
 514061033* +HSBC/rs, Attn: Bankruptcy Dept, P.O. Box 5263, Carol Stream, IL 60197-5263

TOTALS: 0, * 2, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Addresses marked '++' were redirected to the recipient's preferred mailing address
 pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.
 While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

District/off: 0312-3

User: gnau
Form ID: pdf901

Page 2 of 3
Total Noticed: 40

Date Rcvd: Jul 09, 2013

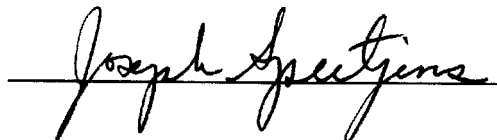
***** BYPASSED RECIPIENTS (continued) *****

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 11, 2013

Signature:

A handwritten signature in black ink, reading "Joseph Speetjens", is written over a horizontal line.

District/off: 0312-3

User: gnau
Form ID: pdf901

Page 3 of 3
Total Noticed: 40

Date Rcvd: Jul 09, 2013

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 8, 2013 at the address(es) listed below:

Candyce Ilene Smith-Sklar on behalf of Joint Debtor Allen David Wesley mail@njpalaw.com
Candyce Ilene Smith-Sklar on behalf of Debtor Veronica A Wesley mail@njpalaw.com

TOTAL: 2